

## Message Text

SECRET

PAGE 01 VIENTI 02011 121426Z

40

ACTION EA-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 CIAE-00 DODE-00 PM-07

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SPC-03

SS-20 USIA-15 AID-20 OMB-01 IO-14 DRC-01 /157 W

----- 069790

R 121032Z MAR 74

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC 8033

INFO AMEMBASSY BANGKOK

AMCONSUL HONG KONG

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY NEW DELHI

AMEMBASSY OTTAWA

AMEMBASSY PARIS

USLO PEKING

AMEMBASSY SAIGON

AMEMBASSY WARSAW

CINCPAC

CDR USSAG NKP

S E C R E T VIENTIANE 2011

E.O. 11652: GDS

TAGS: PFOR, LA

SUBJECT: ICC REACTIVATION

REF: FBIS BANGKOK 091027Z MAR 74

1. FINAL PARAGRAPH OF REFERENCE TRANSMITTED RADIO PATHET LAO  
ASSERTION THAT LPF AND RLG HAVE AGREED ON CONDITIONS FOR REACTIVA-  
TION OF ICC/LAOS AND ONLY REMAINING NECESSARY STEP WAS CLOSED-  
DOOR MEETING TO WORK OUT LANGUAGE FOR TERMS OF REFERENCE FOR  
REACTIVATED ICC.

2. EMBOFF ASKED ABOUT STATUS OF TOPIC DURING SOCIAL CONVERSATION  
WITH ICC CHAIRMAN GHAREKHAN TODAY. GHAREKHAN SAID LAO PARTIES  
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PAGE 02 VIENTI 02011 121426Z

ARE NOW PUTTING FINAL TOUCHES ON THREE BASIC DOCUMENTS:

- (A) FORMAL LETTER REQUESTING REACTIVATION;
- (B) TERMS OF REFERENCE FOR ICC; INCLUDING RELATIONSHIP BETWEEN ICC AND JOINT CENTRAL COMMISSION; AND
- (C) FRENCH TRANSLATION OF LAOS AGREEMENT AND PROTOCOL.

3. GHAREKHAN SAID THAT AFTER LAST-MINUTE HITCH A FEW DAYS AGO WHEN BOTH SIDES AGAIN REQUESTED ISSUANCE OF SEPARATE LETTERS, THE LAO PARTIES HAVE AGREED TO SIGN THREE IDENTICAL DOCUMENTS AS INDICATED ABOVE. EMBOFF ASKED HOW ICC COULD FUNCTION UNDER TERMS OF REFERENCE CONFECTED BY LAO PARTIES, WITHOUT SOME FORM OF RATIFICATION BY THE 13 POWERS WHO SIGNED THE 1962 GENEVA PROTOCOL DELINEATING ICC'S ORIGINAL TERMS OF REFERENCE. GHAREKHAN ACKNOWLEDGED THAT, ALTHOUGH HE HAD NOT SEEN DOCUMENT (B) ABOVE, HE EXPECTED THAT IT WOULD DIVERGE SIGNIFICANTLY FROM THE 1962 GENEVA PROTOCOL, ESPECIALLY IN REGARD TO ICC'S RIGHT TO CONDUCT UNILATERAL INVESTIGATIONS. NEW TERMS OF REFERENCE UNQUESTIONABLY WILL LIMIT ICC TO INVESTIGATIONS ONLY BY REQUEST OF THE JOINT CENTRAL COMMISSION TO IMPLEMENT THE AGREEMENT. GHAREKHAN SAID HE HOPED CONSULTATION AMONG GENEVA POWERS COULD BE EFFECTED SURGICALLY IN VIENTIANE WHERE ALL BUT BURMA ARE REPRESENTED.

4. GHAREKHAN STATED THAT HE HAD RECEIVED IMPLICIT ASSURANCES FROM PATHET LAO LEADERS DURING HIS RECENT VISIT TO SAM NEUA THAT PRC WAS PREPARED TO PAY ITS SHARE OF NEW COSTS INCURRED BY THE REACTIVATED ICC COMMISSION. GHAREKHAN INDICATED HE HAD ALSO RECEIVED "HINTS" FROM PRC CHARGE IN VIENTIANE TO THIS EFFECT. PRC WOULD NOT, HOWEVER, PAY ANY BACK BILLS.  
WHITEHOUSE

SECRET

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRUCE OBSERVERS, COMMUNIST FRONT ORGANIZATIONS, DIPLOMATIC DISCUSSIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 12 MAR 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Reference:** FBIS BANGKOK 091027Z MAR 74  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 15 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <15 APR 2002 by boyleja>; APPROVED <16 JUL 2002 by garlanwa>  
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30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ICC REACTIVATION  
**TAGS:** PFOR, LA, ICC/LAOS, LPF, RLG  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005